

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

PAUL YAHNE,

Plaintiff,

V.

DR. BALDERAMA, *et al,*

### Defendants.

Case No. C04-5346FDB

## ORDER TO SHOW CAUSE

This matter is before the Court on the court's pretrial schedule order (Dkt. #18) and defendants' motion for summary judgment (Dkt. #32). In its pretrial schedule order, the court directed the parties to file a joint status report by no later than June 2, 2005. On June 6, 2005, the court received a letter from counsel for defendants stating that due to the death of plaintiff's father, the parties would be unable to file the joint status report on time, but they intended to keep working on it and hoped to file it by the following week. (Dkt. #31). To date, however, the joint status report still has not been filed.

On June 29, 2005, defendants filed their motion for summary judgment. The deadline for filing all dispositive motions in this case, however, was April 28, 2005. Defendants have not supplied any reason for why the court should consider their motion for summary judgment now, more than two and a half months after the deadline for filing it has passed.

Accordingly, defendants shall file a response to this order to show cause by no later than August 15, 2005, explaining why the court should consider its motion for summary judgment at this time. In

1 addition, defendants shall inform the court as to the status of the joint status report that was due on June 2,  
2 2005. Defendants' motion for summary judgment (Dkt. #32) also shall be re-noted for consideration on  
3 September 16, 2005, pending defendants' response to this order to show cause.

4 The Clerk is directed to send copies of this Order to plaintiff and to counsel for defendants.

5 DATED this 15th day of July, 2005.  
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Karen L. Strombom  
United States Magistrate Judge